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JC520 U.S. PTO

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UTILITY PATENT APPLICATION TRANSMITTAL
(For new Non-provisional applications under 37 CFR1.53(b))

Attorney Docket No.: BAL6019P0090US
First Named Inventor: Mario Guillen
Express Mail Label No. EL393985127US

JC542 U.S. PTO
09/473386
12/28/99

Box PATENT APPLICATION
Assistant Commissioner For Patents
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is a new utility patent application of inventor(s): Mario Guillen and entitled:
"Trailing Interspecific Impatiens".

Application Elements:

1. ☒ Specification containing 16 pages (preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross-reference to related applications (if applicable)
 - Statement regarding Federally-sponsored Research & Development (if applicable)
 - Reference to Microfiche Appendix (if applicable);
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
2. ☒ Drawings: 3 Sheets of ☐ formal drawings ☒ informal drawings
3. ☒ Oath or Declaration
 - a. ☐ An executed declaration or oath for the utility patent application including a power of attorney,
 - b. ☒ An unexecuted declaration or oath for the utility patent application including a power of attorney;
 - c. ☐ Copy from a prior application (37 CFR 1.63(d), for continuation/divisional with No. 16 completed. [Note No. 4 below.])
 - i. ☐ Signed statement attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b).
4. ☐ **For CONTINUATION or DIVISIONAL Applications only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

5. ☐ Microfiche Computer Program (Appendix)
6. ☐ Nucleotide and/or Amino Acid Sequence submission. including:
- ☐ Computer readable copy,
 - ☐ Paper copy (identical to computer copy),
 - ☐ Statement verifying identity of above copies.

Accompanying Application Parts:

7. ☐ Assignment Papers (cover sheet, document(s) and requisite fee).
8. ☐ 37 CFR 3.73(b) Statement (where there is an assignee)
- ☐ Power of Attorney
9. ☐ English Translation document (if applicable)
10. ☐ Information Disclosure Statement (IDS), including PTO-1449
- ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Postcard for PTO Mail Room Date Stamp (should be specifically itemized).
13. ☐ Small Entity Statement(s)
- ☐ Statement filed in prior application, status still proper and desired.
14. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed).
15. ☐ Other _____
16. ☐ **If Continuing Application**, check appropriate box and supply the requisite information below and in a preliminary amendment:
- ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. _____, filed _____.
- Prior application information: Examiner: _____ Group/Art Unit: _____

Fee Calculation

The filing fee has been calculated as shown below:


Small Entity						Large Entity	
For	No. Filed	No. Allowed	No. Extra	Rate	Fee	Rate	Fee
Basic Fee					\$380.00		\$760.00
Total Claims	12	- 20 =8	10	x \$9.00	\$	x \$18.00	\$
Indep. Claims	3	- 3 =0	11	x \$39.00	\$	x \$78.00	\$
Multiple Dependent Claims Present				+ \$130.00	\$	+ \$260.00	\$
				TOTAL	\$	TOTAL	\$760.00

OR
OR
OR
OR
OR

17. ☒ A check in the amount of \$ 760.00 to cover the filing fee is enclosed.
18. ☐ Please charge my Deposit Account No. 04-1644 in the amount of \$ _____.
19. ☒ The Commissioner is authorized to charge payment of the following amounts associated with this communication or credit any overpayment to Deposit Account No. 04-1644:
- ☒ Additional filing fees under 37 CFR 1.16 or deficiencies in remittances therefor.
 - ☒ Additional processing fees under 37 CFR 1.17 or deficiencies in remittances therefor.
 - ☐ **ONLY if applicant has partially paid** the patent issue fee under 37 C.F.R. §1.18, then the **deficiency** shall be charged to Deposit Account No. 04-1644, and the Commissioner is authorized to so charge the Deposit Account.

Date: December 28, 1999

Attorney's Signature


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CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this Utility Patent Application Transmittal, enclosed application, and any other documents referred to as enclosed herein, are being deposited in an envelope with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and addressed to Box PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231.

Express Mail Label No.: EL393985127US

Date of Deposit: December 28, 1999

Typed/Printed Name of Person Signing: Daniel Madrigal

Signature:



THE UNITED STATES PATENT OFFICE IS REQUESTED TO IMPRESS
ITS STAMP ON THIS CARD AND PLACE SAME IN THE OUT-GOING
MAIL TO SHOW THE FOLLOWING PAPERS HAVE BEEN RECEIVED.

BAL6019P0090US
LVM/sma

Applicant: Mario Guillen
Serial No.:
Filed: December 28, 1999

JC542 U.S. PTO

09/473386



12/28/99

for: "Trailing Interspecific Impatiens"

Transmitted Herewith: Plant Patent Application Transmittal (3 pages), Unexecuted
Declaration (3 pages), Specification (16 pages), Drawings (3 Sheets), a check for
\$760.00 Ck# 29675 and this post card

EXPRESS MAIL LABEL NO# EL393985127US

MAILED: December 28, 1999

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TRAILING INTERSPECIFIC IMPATIENS

Field of Invention

The present invention relates to a novel trailing habit in interspecific impatiens plants.

- 5 The trailing impatiens plants of the present invention were developed through a unique interspecific cross between *Impatiens flaccida* and *Impatiens Hawkeri*.

- 10 This invention also relates to interspecific impatiens seed, interspecific impatiens plants, interspecific impatiens varieties and interspecific impatiens hybrids containing this trailing trait.

- 15 In addition, the present invention also relates to methods for transferring the trailing habit to New Guinea impatiens varieties using *Impatiens flaccida* in breeding as either a female or male parent, in order to produce novel types and varieties of interspecific impatiens plants which exhibit this trailing habit. The present invention also relates to a F₁ hybrid or later generation interspecific impatiens plant grown from the interspecific hybrid seed produced by the aforementioned methods.

Background of Invention

- 20 The genus *Impatiens* is comprised of about 500 species of annual or perennial herbs or subshrubs. They are widely distributed particularly in the tropics and subtropics of Asia and Africa (*Hortus Third A Concise Dictionary of Plants Cultivated in the United States and Canada*, MacMillan Publishing Company (1976)).

- 25 A species of particular commercial interest is *Impatiens Hawkeri*, commonly referred to as New Guinea impatiens. New Guinea impatiens have foliage and floral characteristics that are desirable for bedding and pot-plant use. Impatiens plants reported to be native to New Guinea were classified in 1886 as *Impatiens Hawkeri* (*New Guinea Impatiens, A Ball Guide*, edited by W. Banner and M. Klopmeier, Ball Publishing (1995)). Occasionally, these
30 early specimens were referred to as *Impatiens herzogii*. *Id.* In the early 1900's, botanists from Germany, England and the Netherlands explored parts of the Sundra Islands, and by

1915, nine New Guinea impatiens species were identified from this area: *I. dahlia*, *I. herzogii*, *I. laxterbachii*, *I. linearifolia*, *I. mooreana*, *I. polyphylla*, *I. rodatzii*, *I. schlechteri*, and *I. trichura*. *Id.* Taxonomically, the collections were confusing and were considered to be habitat variations of *I. herzogii* rather than new species by Von R. Schlechter. *Id.* In the most recent taxonomic classification, Grey-Wilson proposed that New Guinea impatiens belong to one highly variable species, *I. Hawkeri*, in which 15 groups were identified based on geographic location. *Id.*

Although diverse phenotypically, typically members of New Guinea impatiens are fertile when crossed with each other or when selfed and generally have a 2n chromosome number of 32 (T. Arisumi, *J. Hered.*, 64:77-79 (1973)). Breeding programs initiated in the early 1970's have led to the development of New Guinea impatiens cultivars that are adapted to a variety of light conditions, and have large flowers of a wide variety of colors including white, pink, red, orange, as well as biocolors (*New Guinea Impatiens, A Ball Guide*, edited by W. Banner and M. Klopmeier, Ball Publishing (1995)). Foliage types include slightly rounded to lanceolate with smooth to serrated edges having colors ranging from green to burgundy and variegated. *Id.* Plant habits are typically mounded to spreading (U.S. Plant Patent No. 5,921; U.S. Plant Patent No. 4720; U.S. Plant Patent No. 10,858). One cultivar 'Radiance' is described as having stems that are "slightly trailing" (U.S. Plant Patent 7,098).

Interspecific crosses using *Impatiens platypetala* and *Impatiens aurantiaca*, two species closely related to *Impatiens Hawkeri*, have been used in New Guinea impatiens cultivar improvement, but offspring of these crosses are often sterile (*New Guinea Impatiens, A Ball Guide*, edited by W. Banner and M. Klopmeier, Ball Publishing (1995)). Arisumi has successfully used ovule culture to recover interspecific hybrids of New Guinea impatiens, *I. Hawkeri*, crossed with *I. auricoma*, *I. niamniamensis*, *I. uguenensis*, and *I. Wallerana* (*I. sultani* in his publication) (T. Arisumi, *J. Amer. Soc. Hort. Sci.* 112(6):1026-1031 (1987)).

Impatiens flaccida alba, a species noted for drought tolerance, has been used in interspecific crosses. Using ovule culture, hybrid seedlings were recovered from interspecific

crosses of *I. flaccida alba* x *I. repens* and *I. uguenensis* x *I. flaccida alba*; however, no seedlings were recovered from crosses of *I. flaccida alba* x *I. herzogii*, *I. flaccida alba* x *I. epiphytica*, or *I. flaccida alba* x *I. hookeriana* (T. Arisumi, *J. Amer. Soc. Hort. Sci.* 105(5):629-631 (1980)). An additional study confirmed the previously reported *I. flaccida* 5 *alba* x *I. repens* and *I. uguenensis* x *I. flaccida alba* successes, while no seedlings were recovered from a cross between *I. flaccida alba* x 'Pele' (A New Guinea impatiens cultivar) (T. Arisumi, *J. Amer. Soc. Hort. Sci.* 110(2):273-276 (1985)). Interspecific hybrids were also recovered from a cross between *I. flaccida* x *I. Wallerana* 'Elfin White' (*I. sultani* in his publication) (T. Arisumi, *J. Amer. Soc. Hort. Sci.* 112(6):1026-1031 (1987)).

Summary of Invention

The present invention relates to interspecific impatiens plants having a novel trailing habit. The interspecific impatiens plants of the present invention possess a trailing habit and have pedigrees which include 2245B, 2257B or derivatives thereof.

The present invention also relates to seed, pollen, cuttings and ovules of the trailing interspecific impatiens plants of the present invention. Moreover, the present invention also relates to a tissue culture comprising regenerable cells of the trailing interspecific impatiens plants of the present invention.

Additionally, the present invention relates to interspecific impatiens seed which contain the trailing trait. The seed of the present invention have pedigrees which include 2245B, 2257B or derivatives thereof. The present invention also relates to a trailing interspecific impatiens plant produced by growing the seed of the present invention.

The present invention also relates to a method for transferring the trailing trait from *Impatiens flaccida* into *Impatiens Hawkeri*. The method involves crossing pollen from a first parent impatiens plant to a second parent impatiens plant and harvesting the resultant first generation (F₁) hybrid impatiens seed. One of the parent impatiens plants used in said method 30 must be an *Impatiens flaccida*. Additionally, the present invention relates to a first generation

(F₁) hybrid plant produced by growing the hybrid seed produced by said method.

Brief Description of the Figures

The file of this patent contains at least one drawing executed in color. Copies of this patent with color drawing(s) will be provided by the Patent and Trademark Office upon request and payment of the necessary fee.

Figure 1 shows a photograph of an *Impatiens flaccida* x *Impatiens Hawkeri* hybrid named 2245B of the present invention that is approximately 12 weeks old.

Figure 2 shows a photograph of hybrid 2245B that is approximately 20 weeks old.

Figure 3 shows a photograph of an *Impatiens flaccida* x *Impatiens Hawkeri* hybrid named 2257B of the present invention that is approximately 12 weeks old.

Detailed Description of the Invention

The interspecific impatiens plants of the present invention exhibit an unique trailing habit. This trailing habit was developed through a unique interspecific cross between *Impatiens flaccida* and *Impatiens Hawkeri*.

As used herein, the term “trailing” means a plant habit wherein lateral branches of the plant extend over the container and grow toward the ground.

The previously unknown trailing interspecific impatiens plants of the present invention were discovered as a result of breeding and research efforts which were conducted in Linda Vista, Costa Rica. In 1996, a cross was made using a proprietary *Impatiens flaccida* Linda Vista breeding selection as the female parent. This selection exhibited very vigorous growth, small lavender flowers, good pollen and seed yield, and is early to flower with a spreading, loose habit. The male parent was a bulk of *Impatiens Hawkeri* pollen collected from the Java Series F₁ hybrid New Guinea impatiens (developed by and commercially available from Pan

American Seed Company, 622 Town Road, West Chicago, IL 60185). The plants in this series have medium vigor with a bushy, well-branched habit. They have good pollen and seed yield, and are early to flower with abundant flower production. Pollen was collected from several plants having a variety of flower colors, and may have included orange, red, salmon, red/salmon bicolor, rose/lilac bicolor, lavender, cherry red and white. The bulked pollen was transferred to the female parent and the resulting F₁ seed was collected and germinated. In 1997, from the flowering progeny, plants identified as 2245B and 2257B were selected. The F₁ generation yielded a variety of flower colors including lilac, cherry red, and purple. Foliage colors included green to dark green. The majority of the F₁ plants were sterile and it was not possible to recover seed from self pollination or backcrossing.

Methods for overcoming interspecific hybrid sterility barriers are known in the art and include, but are not limited to, colchicine treatments, random assortive mating and naturally developing pollen fertility.

The trailing interspecific impatiens plants of the present invention are genetically stable and can be stably reproduced by means of asexual propagation. Cuttings for asexual propagation can be taken at any time of the year and no special hormones or soil mixtures are required. It is expected that any trailing interspecific impatiens can be produced commercially through asexual propagation.

Using the methods described herein, it is expected that the trailing trait from *Impatiens flaccida* can be bred into diverse New Guinea (*Impatiens Hawkeri*) impatiens backgrounds, including those having many different flower colors, as well as bicolor flowers. Additionally, the trailing habit can be incorporated into New Guinea impatiens having solid green foliage, green and yellow variegated foliage, dark green foliage, dark purplish leaves, dark purplish and cream variegated foliage, etc.

The following examples are set forth as representations of specific and preferred embodiments of the present invention. These examples are not to be construed as limiting the scope of the invention in any manner. It should be understood that many variations and modifications can be made while remaining within the spirit and scope of the invention.

Example 1: Description of *Impatiens flaccida* x *Impatiens Hawkeri* hybrid named 2245B

The color chart used in the identification of colors described herein is the R.H.S. Colour Chart of The Royal Horticultural Society, London, England. The color values were determined on October 8, 1999 in West Chicago, IL. The readings were taken between 1:00 and 1:45 p.m. under approximately 2500 footcandles of light.

The plants were produced from cuttings taken from stock plants and were grown under greenhouse conditions comparable to those used in commercial practice while utilizing a soilless growth medium and maintaining temperatures of approximately 72 °F during the day and approximately 65 °F during the night.

Propagation

Type cutting

Terminal tip

Time to initiate roots

Approximately 14-21 days with the shorter times generally being experienced in the summer and the longer times in the winter

Rooting habit

Fibrous, branching

Plant Description

General appearance and form

Trailing

Crop time

A finished flowering plant is produced 8 to 10 weeks after planting rooted cuttings

Branching habit

Freely basal branching without pinching or growth regulators

Flower Description

	Flowering habit	Freely flowering under outdoor growing conditions with substantially continuous blooming from spring until fall
5	Flowers borne	Above foliage arising from leaf axils
	Peduncle length	4.9 cm
	Peduncle color	Yellow-Green Group 145C with slight overlay of Red-Group 52B on lower third.
	Flower form	Single
10	Quantity of flowers	Approximately 26 per plant
	Flower size	Approximately 4.6 cm in diameter
	Number of petals	Five
	Petal texture	Iridescent
	Petal shape	Obovate
15	Petal margin	Entire
	Petal apex	Superior petal is flat; other four petals are emarginate
	Petal base	Superior petal has very broad base; other petals have narrow, pointed base
20	Petal length	Superior petal is 1.8 cm; other four petals are 2.6 cm
	Petal width	Superior petal is 2.4 cm; other four petals are 2.1 cm
	Flower color	The upper surface of all petals is between Red-Purple Group 64A and Red-Purple Group 74A.
25		The two lateral petals have bases of Red-Purple Group 72B; and the lowest two petals have bases of Red-Purple Group 72B with areas of Red-Purple Group 60A just above the bases forming an “eye”. The lower surface of all petals is closest to
30		Red-Purple Group 67A.

	Flower bud shape	Ovate
	Flower bud length	1.7 cm
	Flower bud diameter	8.3 mm
	Flower bud color	Closest to Red-Purple Group 71B
5	Sepals	Three sepals plus two rudimentary sepals are fused into the under surface of the superior petal. A spur originating from the base of the inferior sepal is approximately 5.5 cm in length on fully opened flowers. The spur color is Red-Purple Group 58A with Yellow-Green Group 144C at tip.
10	Reproductive organs	The stamens and anthers are fused together forming one organ that surrounds the pistil. The pistil is approximately 5 mm long, the stigma color is Yellow-Green Group 144D, and the ovary color is Yellow-Green Group 144A. Generally, the anthers shed pollen prior to the stigma becoming receptive. The pollen color is Yellow Group 13D.
15		

Example 2: Description of *Impatiens flaccida* x *Impatiens Hawkeri* hybrid named 2257B

- 20 The color chart used in the identification of colors described herein is the R.H.S. Colour Chart of The Royal Horticultural Society, London, England. The color values were determined on October 8, 1999 in West Chicago, IL. The readings were taken between 1:00 and 1:45 p.m. under approximately 2500 footcandles of light.
- 25 The plants were produced from cuttings taken from stock plants and were grown under greenhouse conditions comparable to those used in commercial practice while utilizing a soilless growth medium and maintaining temperatures of approximately 72 °F during the day and approximately 65 °F during the night.

B **E** **N** **C** **H**

Terminal tip

Approximately 14-21 days with the shorter times generally being experienced in the summer and the longer times in the winter

Fibrous, branching

Medium trailing

A finished flowering plant is produced in 8 to 10 weeks after planting rooted cuttings

Freely basal branching without pinching or growth regulators

Approximately 51 equal to or longer than 5 mm

Approximately 21.3 cm

Approximately 7 mm

Approximately 5.1 cm

Greyed-Purple Group 184A at base and above each node; Yellow-Green Group 144A just below each node

A mature plant commonly measures approximately
19 cm above a 20 cm pot

Approximately 15 cm below top of a 20 cm pot

Approximately 46 cm with three plants per 20 cm pot

Lanceolate with acuminate apex and cuneate base

Serrate, ciliate

Whorles of three

	Venation pattern	Arcuate
	Surface	Smooth
	Color of mature foliage-upper surface	Between Green Group 137A and Green Group 146A with veins of Yellow-Green Group 145C
5	Color of mature foliage-lower surface	Closest to Green Group 138B with veins of Yellow-Green Group 144C
	Size	Approximately 6.3 cm in length; approximately 1.9 cm in width
	Petiole length	9 mm
10	Petiole diameter	2 mm
	Petiole color	Yellow-Green Group 145C with faint overlay of Red Group 52B at base
	Flower Description	
15	Flowering habit	Freely flowering under outdoor growing conditions with substantially continuous blooming from spring until fall
	Flowers borne	Above foliage arising from leaf axils
	Peduncle length	5.4 cm
20	Peduncle color	Yellow-Green Group 145C with slight overlay of Red-Purple Group 60B
	Flower form	Single
	Quantity of flowers	Approximately 23 per plant
	Flower size	Approximately 4.4 cm in diameter
25	Number of petals	Five
	Petal texture	Iridescent
	Petal shape	Obovate
	Petal margin	Mostly entire with some incisions
30	Petal apex	Superior petal has rounded tip; other four petals are emarginate

		Petal base	Superior petal has very broad base; other petals have narrow, pointed base
		Petal length	Superior petal is 1.7 cm; other four petals are 2.3 cm
5		Petal width	Superior petal is 2.5 cm; other four petals are 2.1 cm
		Flower color	The upper surface of the superior petal is between Purple-Violet Group 81C and Purple-Violet Group 81D. The two lateral petals are between Purple-Violet Group 81B and Purple-Violet Group 81C; and the lowest two petals are closest to Purple-Violet Group 81C with areas of Red-Purple Group 60A just above the bases forming an "eye". Lower surface of all petals is Violet Group 84A with midvein of Violet Group 84B.
10			
	15	Flower bud shape	Ovate
		Flower bud length	1.9 cm
		Flower bud diameter	1.2 cm
		Flower bud color	Violet Group 84B
20		Sepals	Three sepals plus two rudimentary sepals are fused into the under surface of the superior petal. A spur originating from the base of the inferior sepal is approximately 4.4 cm in length on fully opened flowers. The spur color is Red Group 49D at proximal end; Red Group 54C in the middle three-quarters; Yellow-Green Group 144C at tip.
25			
		Reproductive organs	The stamens and anthers are fused together forming one organ that surrounds the pistil. The pistil is approximately 5 mm long, the stigma color is Yellow-Green Group 144C, and the ovary color
30			

is Yellow-Green Group 144A. Generally, the
anthers shed pollen prior to the stigma becoming
receptive. The pollen color is Yellow Group 13D.

5 **Deposit Information**

Two thousand five hundred (2500) seeds of *Impatiens flaccida* have been placed on
deposit with the American Type Culture Collection (ATCC), 10801 University Blvd.,
Manassas, Virginia, 20110-2209 under Deposit Accession Number _____ on December
14, 1999. This deposit was made in compliance with the Budapest Treaty requirements that
10 the duration of the deposit should be for thirty (30) years from the date of the deposit or for
five (5) years after the last request for the deposit at the depository or for the enforceable life
of a U.S. Patent that matures from this application, whichever is longer. These impatiens seeds
will be replenished should it become non-viable at the depository.

15 The present invention is illustrated by way of the foregoing description and examples.
The foregoing description is intended as a non-limiting illustration, since many variations will
become apparent to those skilled in the art in view thereof. It is intended that all such
variations within the scope and spirit of the appended claims be embraced thereby.

20 Changes can be made to the composition, operation and arrangement of the method of
the present invention described herein without departing from the concept and scope of the
invention as defined in the following claims.

WHAT IS CLAIMED IS:

1. A trailing interspecific *impatiens* plant.
2. A trailing interspecific *impatiens* plant wherein said plant has a pedigree which includes
5 plant 2245B, 2257B or derivatives thereof.
3. Pollen of the plant of claims 1 or 2.
4. An ovule of the plant of claims 1 or 2.
- 10 5. A tissue culture comprising regenerable cells of the plant of claims 1 or 2.
6. A cutting of the plant of claims 1 or 2.
- 15 7. A method of producing an interspecific *impatiens* plant having a trailing habit, the method comprising the steps of:

crossing an *Impatiens flaccida* plant with an *Impatiens Hawkeri* plant;
recovering the resulting F₁ hybrid interspecific *impatiens* seed;
20 planting the F₁ hybrid interspecific *impatiens* seed and regenerating into plants; and
selecting an interspecific *impatiens* plant which exhibits a trailing habit.
8. A trailing interspecific *impatiens* plant produced by the method of claim 7.
- 25 9. Pollen from a trailing interspecific *impatiens* plant produced by the method of claim 7.
10. An ovule from a trailing interspecific *impatiens* plant produced by the method of claim 7.
11. A tissue culture comprising regenerable cells from a trailing interspecific *impatiens* plant
30 produced by the method of claim 7.

12. A cutting from a trailing interspecific impatiens plant produced by the method of claim 7.

Abstract of the Invention

The present invention relates to an interspecific impatiens plant having a trailing habit.

The plant of the present invention were developed as a result of a unique interspecific cross

5 between *Impatiens flaccida* and *Impatiens Hawkeri*.

FIGURE 1



U.S. GOVERNMENT PRINTING OFFICE: 1964 O 348-000

[illegible]

FIGURE 3



DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)	Attorney Docket No.:	BAL6019P0090US
	First Named Inventor:	Mario Guillen
	<i>COMPLETE IF KNOWN</i>	
	Application Number:	
	Filing Date:	December 28, 1999
	Group Art Unit:	
	Examiner Name:	

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed) or an original, first, and joint inventor (if plural names are listed) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **Trailing Interspecific Impatiens**, the specification of which:

- ☒ is attached hereto; or
- ☐ was filed on _____
as Application Serial No. _____
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information to the Patent and Trademark Office known to me to be material to patentability of this application, as defined in 37 CFR. 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Numbers	Country	Foreign Filing Date	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- ☐ Additional foreign application numbers are listed on a supplemental priority data sheet (PTO/SB/02B) attached hereto.

I hereby claim the benefit under 35 U.S.C. 119 (e) of any United States application(s) listed below.

Application Number(s)	Filing Date	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet (PTO/SB/02B) attached hereto.

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT International application numbers are listed on a supplemental priority data sheet (PTO/SB/02B) attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

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I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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